

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

GENENTECH, INC. and	)	
INTERMUNE, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 19-78 (RGA)
	)	CONSOLIDATED
AUROBINDO PHARMA LIMITED, et al.,	)	
	)	<i>All Related Cases</i>
Defendants.	)	

**ORDER**

This 23<sup>rd</sup> day of April, 2021, Defendants in the above captioned matters having moved for an order precluding Genentech, Inc. and InterMune, Inc. (collectively, “Plaintiffs”) from introducing new theories concerning objective indicia of obviousness and to compel Plaintiffs to produce invoices concerning Dr. Bradford (D.I. 264), and the Court having explained its views on the two motions at a discovery conference on April 23, 2021,

IT IS SO ORDERED that:

1. Plaintiffs did not disclose any expert opinions concerning objective indicia of obviousness in their opening expert reports. Defendants may seek further relief, if appropriate, in view of the what Defendants’ experts actually say in the next round of expert reports.
2. Plaintiffs stated an approximation of the billings to date from Dr. Bradford, with an obligation to supplement with a statement shortly before trial with the total billings to that date and a good faith estimate of what the total billings are likely to be through the conclusion of trial.

/s/ Richard G. Andrews  
United States District Judge